

## **REMARKS**

Independent claims 74 and 75 have been amended to more clearly distinguish applicant's invention from the prior art and new claims 76 and 77 have been inserted.

All of the claims now very clearly distinguish the invention over the prior art references, whether taken singly or in combination with each other, and this application should be allowed.

The present invention concerns a novel method of operating a gaming machine. As brought out in new claim 74, a processor is provided to control selected machine operations. A candle is provided having at least a first stage. A plurality of first colored LEDs are provided within the first stage. The candle is mounted to a gaming machine and the processor is programmed to operate one or more of the colored LEDs within the candle stage, to provide a selected color illumination pattern upon occurrence of a selected event of the gaming machine. The processor is connected to the candle to enable the processor to trigger one or more of the colored LEDs within the candle stage to provide a selected color illumination pattern upon occurrence of the selected event. Thus triggering one or more of the colored LEDs within the candle stage provides color change of the candle stage without requiring the use or removal or insertion of a candle plastic insert within the candle. Claim 75 brings out the use of at least two candle stages, with each stage having a plurality of colored LEDs. Claims 76 and 77 are directed to the gaming machine with the candle mounted thereon.

As an example, in the present invention each stage could have colored LEDs which are the primary colors red, yellow, and blue. If, for example, the first stage is to be illuminated red in response to a selected event, the processor would trigger the red

LED within the first stage. Or, if the second stage is to be blue in response to a selected event, the processor would trigger the blue LED within the second stage. Still further, if the first stage were to be green in response to a selected event, the processor would trigger the yellow and blue LEDs of the first stage to provide a green illumination. Likewise, many different combinations of colors can be provided in each of the stages as a result of the triggering of the appropriate colored LEDs by the processor in response to selected events.

The Examiner has combined the patents to Hoorn, Lys, and Irving in an effort to show that applicant's invention is obvious. For the following reasons, this combination is not a proper combination and should be withdrawn.

Significantly, this invention provides a method for operating a gaming machine that is completely different from anything previously known in the art for operating gaming machines, and is a substantial and patentable improvement. As the Examiner is well aware, for many years prior art candles have been used which contain incandescent light bulbs surrounded by a clear or translucent plastic cylindrical shell. As recognized by the Examiner, Hoorn discloses an example of this type of prior art candle. In the prior art, such as with the Hoorn et al. candle, if the colors have to be changed there is a difficult and time consuming operation. Ordinarily, it requires that a casino service technician access the top of the gaming machine, dismantle the candle, typically by unscrewing a bolt and nut and taking apart the pieces, then removing the colored plastic film within the candle that is undesirable, and then inserting a new colored film at the desired stage of the candle. This time consuming operation is partially shown in the photographs attached as Exhibit A.

Thus, in order to change the colors in prior art candles, a plastic insert must be manually removed with a new plastic insert provided. This cannot be done remotely and is a time consuming and awkward method. Notwithstanding this inconvenient and awkward method, Hoorn states that the light sources are preferably electric light bulbs and that there is a preferably a plastic sleeve used. Hoorn does not teach or provide any motivation for a processor controlled method in which the use of removable and insertable plastic sleeves may be entirely obviated.

Lys is not properly combinable with Hoorn to purportedly show that applicant's invention is obvious. Lys discloses controllable LEDs in which an electrical signal is received and a color of light is provided in response thereto. There is no suggestion of using processor controlled colored LEDs within stages of a gaming machine candle to obviate the necessity for removing and inserting colored plastic inserts. **Even if for some reason one were to substitute an LED for Hoorn's incandescent bulb, the resulting teaching would still be the use of removable plastic inserts.** Any teaching of obviating the use of plastic inserts and instead using processor controlled colored LEDs which respond to selected events is found only in the present application, and is not found in the prior art references.

The patent to Irving does not remedy the deficiencies of Hoorn and Lys. Irving concerns an indicating system for a radio receiver. While Irving discloses that "light emitting diodes are replacing light bulbs in modern indicating systems", just as with the Lys patent, even if one were to substitute an LED for Hoorn's incandescent bulb, the resulting teaching would still be the use of removable plastic inserts.

It is submitted that the Examiner has not shown how one having ordinary skill in the art would, at the time of the invention, have been motivated to obviate the need for removing and inserting colored inserts in a gaming machine candle and for providing a processor controlled system in which colored LEDs are used for selective color lighting of the gaming machine candle. It is respectfully submitted that the Examiner has failed to carry the burden of establishing a *prima facie* case of obviousness. Any combination of Hoorn and Lys and Irving is taught only by applicant's own disclosure and not by the references themselves.

Neither Hoorn nor Lys nor Irving, whether taken separately or in combination with each other, teaches obviating the requirement for manual removal of the colored inserts and insertion of a new color insert, and applicant's claims have now been presented in a way that very clearly distinguishes over the prior art. Hoorn teaches the exact type of candle which applicant's invention is intended to improve upon and neither Lys or Irving suggests any use of a programmed LED system with a Hoorn type candle nor is there a suggested combination of Hoorn, Lys, and Irving that would render obvious applicant's invention as now claimed.

Applicant has not merely substituted LEDs for incandescent bulbs. The claims of the present invention now clearly require the use of colored LEDs, avoiding the replacement of plastic inserts as in the prior art, and enabling triggering of the colored LEDs to provide a selected color illumination pattern upon occurrence of a selected event of the gaming machine. This is a tremendous step in the art and is clearly patentable.

A sincere effort has been made to provide claims which are patentable over the prior art references, whether these references are taken singly or in combination with each other.

Respectfully submitted,  
SEYFARTH SHAW LLP

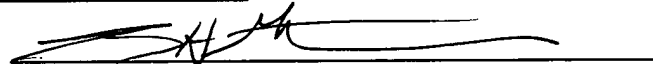


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